

CHAPTER 38-07-05 DRIVER TRAINING INSTRUCTION REQUIREMENTS

Section

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38-07-05-01. Training curriculum. A complete and up-to-date copy of the internet course, classroom, and behind-the-wheel or on-cycle training curriculum for each class of license for which instruction is offered must be submitted to and approved by the superintendent. Instruction must meet the minimum requirements of any federal or state standards that are or may be established regarding the length of lesson and methods of instruction.

History: Effective December 1, 1988; amended effective June 1, 2002.

General Authority: NDCC 39-25-02

Law Implemented: NDCC 39-06-01.1, 39-25-03, 39-25-04

38-07-05-02. Behind-the-wheel instruction certificate. North Dakota Century Code section 39-06-17 requires an applicant under the age of sixteen years, when appearing for a driver examination, to exhibit for verification a properly endorsed behind-the-wheel instruction certificate. Such certificate must indicate the child has completed at least six hours of behind-the-wheel instruction. Schools or instructors shall inform driver training students under sixteen years of age that a minimum of six hours of actual behind-the-wheel instruction is required before the child is eligible to take the driver examination.

History: Effective December 1, 1988.

General Authority: NDCC 39-25-02

Law Implemented: NDCC 39-25-02

38-07-05-03. Motorcycle completion certificate. North Dakota Century Code section 39-06-14 states that applicants fourteen or fifteen years of age may be issued a motorcycle learner's permit if the applicant is enrolled in or has completed an approved motorcycle safety course. The completion certificate must indicate that the applicant has completed a motorcycle safety course which meets the minimum requirements of the motorcycle safety foundation.

History: Effective December 1, 1988.

General Authority: NDCC 39-25-02

Law Implemented: NDCC 39-25-02

38-07-05-04. Behind-the-wheel and on-cycle instruction.

1. Instruction may be provided on machines which simulate driving conditions only when the use of such machines has been specifically approved as a part of the curriculum of behind-the-wheel training by the superintendent. Any type of simulation training shall be in addition to student completion of at least six hours of actual behind-the-wheel driving in a motor vehicle.
2. Instructors shall ensure that seatbelts are in use at all times while instruction is being given behind the wheel of a motor vehicle.
3. Instructors shall ascertain that the student is in possession of a valid driver instruction permit or driver's license prior to giving behind-the-wheel instruction.
4. Instruction for class A and class B, C type vehicles may be given only when specifically approved by the superintendent.
5. Instructors must at all times, while giving behind-the-wheel or "on-street on-cycle" instruction, ensure that students do not violate any traffic law, rule, regulation, sign, or street marking governing the operation of a motor vehicle.
6. When the student has satisfactorily completed at least six hours of behind-the-wheel instruction, the authorized school operator or instructor shall furnish the student a certificate of completion to that effect.
7. Instruction may not be given on routes used for the North Dakota state driver license road test.

History: Effective December 1, 1988; amended effective April 1, 1992; June 1, 2002.

General Authority: NDCC 39-25-02

Law Implemented: NDCC 39-25-03, 39-25-04

38-07-05-05. Internet course completion certificate. North Dakota Century Code section 39-06-01.1 permits an applicant under the age of eighteen years, whose driver's license has been canceled, to complete an internet course through a licensee under North Dakota Century Code chapter 39-25. Verification of successful completion of the internet course must be in the form of an internet course completion certificate issued by the licensee.

History: Effective June 1, 2002.

General Authority: NDCC 39-25-02

Law Implemented: NDCC 39-06-01.1